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Security Council

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The Security Council,

Recalling its resolutions 1970 (2011) of 26 February 2011, 1973 (2011) of 17 March 2011, 2009 (2011) of 16 September 2011, 2016 (2011) of 27 October 2011, 2017 (2011) of 31 October 2011, 2022 (2011) of 2 December 2011, and 2040 of 12 March (2012),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Reaffirming its resolutions 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflict, 1612 (2005), 1882 (2009), 1998 (2011), and 2068 (2012) on children and armed conflict, and 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), and 1960 (2010) on women, peace and security,

Looking forward to a future for Libya based on national reconciliation, justice, respect for human rights and the rule of law,

Emphasizing the importance of promoting the equal and full participation of all parts of Libyan society, including women, youth and minorities, in the political process in the post-conflict phase,

Recalling its decision in resolution 1970 (2011) to refer the situation in Libya to the Prosecutor of the International Criminal Court, and the importance of cooperation for ensuring that those responsible for violations of human rights and international humanitarian law, including attacks targeting civilians, are held accountable,

Expressing deep concern about reports of sexual violence during the conflict in Libya against women, men and children including in prison facilities and detention centres, and the recruitment and use of children in situations of armed conflict in violation of applicable international law,

Expressing concern at the lack of judicial process for conflict-related detainees, many of whom continue to be held outside State authority, and *expressing* deep concern at reports of human rights violations and abuses in detention centres, and *taking note* of recent actions by the Ministry of Justice to address these issues,

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Reiterating that the voluntary, safe and sustainable return of refugees and internally displaced persons will be an important factor for the consolidation of peace in Libya,

Expressing concern at the illicit proliferation of all arms and related materiel of all types, in particular heavy and light weapons, small arms and man-portable surface-to-air missiles, from Libya, in the region and its negative impact on regional and international peace and security,

Reminding all Member States of the obligations contained in its resolutions 1970 (2011) and 1973 (2011), as modified in its subsequent resolutions, in particular those obligations relating to arms and related materiel of all types,

Expressing concern at an escalating series of security incidents, in particular in the east of Libya and along its southern borders,

Recalling the establishment of the United Nations Support Mission in Libya (UNSMIL) on 16 September 2011, and *reaffirming* that the United Nations should lead the coordination of the efforts of the international community in supporting, in accordance with the principles of national ownership and national responsibility, the Libyan-led transition and institution-building process aimed at establishing a peaceful, democratic, independent and united Libya,

Noting the centrality of credible elections and an inclusive constitutional drafting process to the democratic transition in Libya, and *reaffirming* UNSMIL's readiness to provide assistance to this process, upon the request of the Libyan government,

Supporting the Libyan government's intention to strengthen regional security and *welcoming*, in this regard, the agreement among Libya, Chad, Niger and Sudan to take steps to form a joint committee to address issues related to border security and the 12 January 2013 meeting in Ghadames with the Prime Ministers of Libya, Tunisia and Algeria that agreed joint measures to combat organized crime and illicit flows,

Taking note of the Libyan government's priorities for international assistance in the areas of security sector reform, rule of law and transitional justice, and *welcoming* the support of UNSMIL in this regard, including at the meetings convened by the Libyan government with international partners in London on 17 December 2012 and Paris on 12 February 2013,

Taking note of the Report of the Secretary-General on UNSMIL (S/2013/104), including the recommendation for the 12 month extension of the UNSMIL mandate,

Taking note of the final report of the Panel of Experts submitted pursuant to paragraph 10 (b) of resolution 2040 (2012) and the findings and recommendations contained therein,

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the positive developments in Libya, including the 7 July 2012 national elections, the establishment of the General National Congress and the peaceful transfer of authority from the National Transitional Council to the first

democratically constituted national unity government, which will improve the prospects for a democratic, peaceful and prosperous future for its people;

2. *Looks forward* to an inclusive constitutional drafting process, and *reiterates* the need for the transitional period to be underpinned by a commitment to democracy, good governance, rule of law, national reconciliation and respect for human rights and fundamental freedoms of all people in Libya;

3. *Calls upon* the Libyan government to promote and protect human rights, including those of women, children and people belonging to vulnerable groups, to comply with their obligations under international law, including human rights law, and *calls for* those responsible for serious violations of international humanitarian law and human rights law, including sexual violence and violations and abuses against children, to be held accountable in accordance with international standards, and *urges* all Member States to cooperate closely with the Libyan government in their efforts to end impunity for such violations;

4. *Calls upon* the Libyan government to continue to cooperate fully with and provide any necessary assistance to the International Criminal Court and the Prosecutor as required by resolution 1970 (2011);

5. *Expresses* grave concern at continuing reports of reprisals, arbitrary detentions without access to due process, wrongful imprisonment, mistreatment, torture and extrajudicial executions in Libya, *calls upon* the Libyan government to take all steps necessary to accelerate the judicial process, transfer detainees to State authority and prevent and investigate violations and abuses of human rights, *calls for* the immediate release of all foreign nationals illegally detained in Libya, and *underscores* the Libyan government's primary responsibility for the protection of Libya's population, as well as foreign nationals, including African migrants;

6. *Encourages* Libya and neighbouring States to continue efforts to promote regional cooperation aimed at stabilization of the situation in Libya and to prevent former Libyan regime elements and violent extremist groups from using the territories of such States to plan, fund or carry out violent or other illicit acts to destabilize Libya and the States in the region, and *notes* that such cooperation would benefit stability in the Sahel region;

United Nations Mandate

7. *Decides* to extend the mandate of the United Nations Support Mission in Libya (UNSMIL) for a further period of 12 months under the leadership of a Special Representative of the Secretary-General, and *decides further* that the mandate of UNSMIL as an integrated special political mission, in full accordance with the principles of national ownership, shall be to assist the Libyan government to define national needs and priorities throughout Libya, and to match these with offers of strategic and technical advice where appropriate, and to support Libyan efforts to:

(a) Manage the process of democratic transition, including through technical advice and assistance to Libyan electoral processes and the process of preparing, drafting and adopting a new Libyan constitution, and assistance that improves institutional capacity, transparency and accountability, promotes the empowerment and political participation of all parts of Libyan society, in particular women and minorities, including in the constitutional drafting process, and supports the further development of Libyan civil society;

(b) Promote the rule of law and monitor and protect human rights, in accordance with Libya's international legal obligations, particularly those of women and people belonging to vulnerable groups, such as children, minorities and migrants, including through assisting the Libyan government to ensure the humane treatment of and due process for detainees and to reform and build transparent and accountable justice and correctional systems, supporting the development and implementation of a comprehensive transitional justice strategy, and providing assistance towards national reconciliation as well as support to ensure the continued identification, separation and reintegration of children affected by armed conflict;

(c) Restore public security, including through the provision of appropriate strategic and technical advice and assistance to the Libyan government to develop capable institutions and effective national security coordination, and implement a coherent national policy for the integration of ex-combatants into Libyan national security forces or their demobilization and reintegration into civilian life, including education and employment opportunities, and to develop defence, police and security institutions that are capable, accountable, respectful of human rights and accessible and responsive to women and vulnerable groups;

(d) Counter illicit proliferation of all arms and related materiel of all types, in particular heavy and light weapons, small arms and man-portable surface-to-air missiles, including through the development of a coordinated strategy in this regard, to clear explosive remnants of war, conduct demining programmes and conventional munitions disposal, secure and manage Libya's borders, and implement international conventions on chemical, biological and nuclear weapons and materials, in coordination with the relevant United Nations agencies, the Organization for the Prohibition of Chemical Weapons, and international and regional partners;

(e) Coordinate international assistance and build government capacity across all relevant sectors set out in relation to paragraphs 7 (a) to (d), including by supporting the appropriate coordination mechanism within the Libyan government, advice to the Libyan government to help identify priority needs for international support, engaging international partners in the process wherever appropriate, facilitation of international assistance to the Libyan government, and establishing a clear division of labour and regular and frequent communication between all those providing assistance to Libya;

8. *Encourages* UNSMIL to continue to support efforts to promote national reconciliation, inclusive political dialogue and political processes aimed at promoting free, fair and credible elections, transitional justice and respect for human rights throughout Libya;

Arms embargo

9. *Decides* that supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, shall no longer require the approval of the Committee, as previously provided for in paragraph 9 (a) of resolution 1970 (2011);

10. *Decides* that supplies of non-lethal military equipment, and the provision of any technical assistance, training or financial assistance, when intended solely for security or disarmament assistance to the Libyan government, shall no longer

require notification to, or the absence of a negative decision by, the Committee, as previously provided for in paragraph 13 (a) of resolution 2009 (2011);

11. *Urges* the Libyan government to improve further the monitoring of arms or related materiel that is supplied, sold or transferred to Libya in accordance with paragraph 9 (c) of resolution 1970 (2011) or paragraph 13 (a) of resolution 2009 (2011), including through the use of end-user certificates, and *urges* Member States and regional organizations to provide assistance to the Libyan government to strengthen the infrastructure and mechanisms currently in place to do so;

12. *Condemns* the reported continuing violations of the measures contained in resolutions 1970 (2011) and 1973 (2011), as modified in its subsequent resolutions, and *recalls* the mandate of the Committee, as defined in paragraph 24 of resolution 1970 (2011), to examine and take appropriate action on information regarding alleged violations or non-compliance with those measures;

Asset freeze

13. *Directs* the Committee, in consultation with the Libyan government, to review continuously the remaining measures imposed by resolutions 1970 (2011) and 1973 (2011), as modified by resolution 2009 (2011), with respect to the Libyan Investment Authority (LIA) and the Libyan Africa Investment Portfolio (LAIP), and decides that the Committee shall, in consultation with the Libyan government, lift the designation of these entities as soon as practical to ensure the assets are made available to and for the benefit of the people of Libya;

Panel of Experts

14. *Decides* to extend the mandate of the Panel of Experts, established by paragraph 24 of resolution 1973 (2011) and modified by resolution 2040 (2012), for a period of thirteen months, *expresses its intent* to review the mandate and take appropriate action regarding further extension no later than twelve months from the adoption of this resolution, and *decides* that the Panel shall carry out the following tasks:

(a) Assist the Committee in carrying out its mandate as specified in paragraph 24 of resolution 1970 (2011);

(b) Gather, examine and analyse information from States, relevant United Nations bodies, regional organizations and other interested parties regarding the implementation of the measures decided in resolutions 1970 (2011) and 1973 (2011) and modified in resolutions 2009 (2011) and 2040 (2012) and in this resolution, in particular incidents of non-compliance;

(c) Make recommendations on actions that the Council, the Committee, the Libyan government or other States may consider to improve implementation of the relevant measures;

(d) Provide to the Council an interim report on its work no later than 90 days after the Panel's appointment, and a final report to the Council no later than 60 days prior to the termination of its mandate with its findings and recommendations;

15. *Urges* all States, relevant United Nations bodies, including UNSMIL, and other interested parties, to cooperate fully with the Committee and the Panel, in particular by supplying any information at their disposal on the implementation of

the measures decided in resolutions 1970 (2011) and 1973 (2011), and modified in resolutions 2009 (2011) and 2040 (2012) and in this resolution, in particular incidents of non-compliance;

16. *Encourages* the Panel, while mindful of UNSMIL's responsibility for assisting the Libyan government to counter illicit proliferation of all arms and related materiel of all types, in particular heavy and light weapons, small arms and man-portable surface-to-air missiles, and to secure and manage Libya's borders, to continue and expedite its investigations regarding sanctions non-compliance, including illicit transfers of arms and related materiel to and from Libya and the assets of individuals subject to the asset freeze established in resolutions 1970 (2011) and 1973 (2011), and modified in resolutions 2009 (2011), 2040 (2012) and this resolution, and *encourages* UNSMIL and the Libyan government to support Panel investigatory work inside Libya, including by sharing information, facilitating transit and granting access to weapons storage facilities, as appropriate;

Reporting and review

17. *Expresses* its intent to review the mandate of the Committee in the event that the measures imposed in resolutions 1970 (2011) and 1973 (2011), and modified in resolutions 2009 (2011), 2040(2012) and in this resolution, should be lifted by a future decision of the Security Council;

18. *Requests* the Secretary-General to report to the Security Council on the implementation of this resolution, including all elements of UNSMIL's mandate, every 90 days;

19. *Decides* to remain actively seized of the matter.